THE CIVIL and MILITARY *Articles of* LIMERICK,

Exactly printed from the

Letters Patents.

WHEREIN

They are Ratified and Exemplified by Their MAJESTIES, under the Great Seal of *ENGLAND*.

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Ireland: [Lords Lieutenant, etc.]

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BRITISH MUSEUM
30 APR 61

A SHORT DESCRIPTION OF *LIMERICK.*

LIMERICK, Lat. *Limericum*, a ſtrong City in the Province of *Munſter* in *Ireland*, ſituate near the Confines of *Connaught*, upon the River *Shannon*, 45 Miles *Weſt* from *Kilkenny*, 35 *South* from *Galway*, and from the main Ocean about 60; but ſo accommodated by the River, that Ships of Burden come up to the Walls. 'Tis almoſt quite ſurrounded with Water, and is, without diſpute, the ſtrongeſt Town in

Ireland. 'Tis the Capital of a County of the ſame Name, and a Biſhop's See, under the Archbiſhop of *Caſhel.* The *Iriſh* call it *Loumenagh.* It was taken from them by *Raimond le Groſſe*, an *Engliſh*-man; after which, one *Donewald*, an *Iriſh* Royolet of *Thomond*, burnt it. King *John* built the Caſtle; the *Engliſh* in After-times built an additional Town, environed it with Walls, and ſecured it by Draw-bridges, and whatever elſe might contribute to its Strength: So that when *Ireton* came before it, in 1651, for the Parliamentarians, *Hugh O Neal*, a good Commander, conſtituted Governor of it by the Lord Lieutenant, made a vigorous Defence; but after three Months Siege, the Garriſon, weaken'd by the Plague, and ſtraitened for Proviſions, deliver'd it upon Articles. After the Defeat at the *Boyne*, King *James* his Forces rallied here, and made ſo good a Defence under *Boiſleau*, the *French* Governor, and ſo much Rain fell, that King *William*, who began its Siege in Perſon, *Auguſt* 10, 1690, decamped the 30th following; but the next Year, it being beſieged by General *Ginckle*, after the Battle of *Aughrim* and Surrender of *Galway*, the Garriſon capitulated, and had advantageous Conditions allow'd it, on Surrender of the Place, which put an End to the then Troubles in *Ireland.* The County of *Limerick* is bounded on the *North* by the River *Shannon* and *Mysker*, which parts it from *Clare* and *Ormond*; on the *Eaſt* it has the County of *Tipperary*; on the *South* that of *Cork*; and on the *Weſt* the County of *Kerry.* A fertile Country, ſaith *Cambden*, and well inhabited. The *Weſtern* Side is mountainous, the reſt plain.

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THE

THE
Civil Articles of *LIMERICK.*

GULIELMUS & MARIA Dei Gratia, Angliæ, Scotiæ, Franciæ & Hiberniæ, Rex & Regina, Fidei Defenſores, *&c. Omnibus* ad quos Præſentes literæ noſtræ pervenerint ſalutem: *Inſpeximus* Irrotulament. quarund. literarum patentium de confirmatione geren. Dat. apud *Weſtmonaſterium* viceſimo quarto die *Februarij*, ultimi præteriti in Cancellâr. noſtr. Irrotulat. ac ibidem de Recordo remanen. in hæc verba. *William* and *Mary*, by the Grace of God, *&c. To all* to whom theſe Preſents ſhall come, Greeting. *Whereas* certain Articles, bearing Date the third Day of *October* laſt paſt, Made and Agreed on between Our Juſtices of Our Kingdom of *Ireland*, and Our General of Our Forces there, *on the one Part*; And ſeveral Officers there, commanding within the City of *Limerick* in Our ſaid Kingdom, *on the other Part:* Whereby Our ſaid Juſtices and General did undertake, that We ſhould ratify thoſe Articles within the Space of eight Months, or ſooner; and uſe their utmoſt Endeavours that the ſame ſhould be Ratified and Confirmed in Parliament. The Tenour of which ſaid Articles, is as follows, *viz.*

ARTICLES

ARTICLES

Agreed upon the Third Day of *October*,

One thouſand ſix hundred and ninety one.

Between the Rt. Honourable Sir *Charles Porter*, Knight, and *Thomas Conings by*, Eſq; Lords Juſtices of *Ireland*; and His Excellency the Baron *De Ginckle*, Lieutenant General and Commander in Chief of the *Engliſh* Army; *On the one Part.*

And the Rt. Honourable *Patrick* Earl of *Lucan*, *Piercy* Viſcount *Gallmoy*, Colonel *Nicholas Purcel*, Colonel *Nicholas Cuſack*, Sir *Toby Butler*, Colonel *Garret Dillon*, and Colonel *John Brown*; *On the other Part:*

In the Behalf of the *Iriſh* Inhabitants in the City and County of *Limerick*, the Counties of *Clare*, *Kerry*, *Cork*, *Sligoe*, and *Mayo*.

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In

In Conſideration of the Surrender of the City of Limerick, *and other Agreements made between the ſaid Lieutenant General* Ginckle, *the Governor of the City of* Limerick, *and the Generals of the* Iriſh Army, *bearing Date with theſe Preſents, for the Surrender of the ſaid City, and Submiſſion of the ſaid Army: It is Agreed, That*

I. THE *Roman Catholicks* of this Kingdom ſhall enjoy ſuch Privileges in the Exerciſe of their Religion, as are conſiſtent with the Laws of *Ireland*; or as they did enjoy in the Reign of King *Charles* the IId: And their Majeſties, as ſoon as their Affairs will permit them to ſummon a Parliament in this Kingdom, will endeavour to procure the ſaid *Roman Catholicks* ſuch farther Security in that Particular, as may preſerve them from any Diſturbance, upon the Account of their ſaid Religion.

II. ALL the Inhabitants or Reſidents of *Limerick*, or any other Garriſon now in the Poſſeſſion of the *Iriſh*, and all Officers and Soldiers, now in Arms, under any Commiſſion of King *James*, or thoſe Authorized by him, to grant the ſame in the ſeveral Counties of *Limerick*, *Clare*, *Kerry*, *Cork* and *Mayo*, or any of them; and all the Commiſſioned Officers in their Majeſties Quarters, that belong to the *Iriſh* Regiments, now in being, that are Treated with, and who are not Priſoners of War, or have taken Protection, and who ſhall return and ſubmit to their Majeſties Obedience; *and their and every of their Heirs*, ſhall hold, poſſeſs and enjoy, all and every their Eſtates of Free-hold, and Inheritance; and all the Rights, Titles and Intereſts, Privileges and Immunities,

nities, which they, and every, or any of them held, enjoyed, or were rightfully and lawfully intitled to; in the Reign of King *Charles* II. or at any Time ſince, by the Laws and Statutes that were in force in the ſaid Reign of King *Charles* II. and ſhall be put in Poſſeſſion, by Order of the Government, of ſuch of them as are in the King's Hands, or the Hands of his Tenants, without being put to any Suit or Trouble therein; and all ſuch Eſtates ſhall be freed and diſcharg'd from all Arrears of Crown-rents, Quit-rents, and other publick Charges, incurred and become due ſince *Michaelmas*, 1688. to the Day of the Date hereof: And all Perſons comprehended in this *Article*, ſhall have, hold, and enjoy all their Goods and Chattles, real and perſonal, to them, or any of them belonging, and remaining either in their own Hands, or the Hands of any Perſons whatſoever, in Truſt for, or for the Uſe of them, or any of them: *And all, and every the ſaid Perſons, of what Profeſſion, Trade, or Calling ſoever they be*, ſhall and may uſe, exerciſe and practiſe their ſeveral and reſpective Profeſſions, Trades and Callings, as freely as they did uſe, exerciſe and enjoy the ſame in the Reign of King *Charles* II. Provided, that nothing in this *Article* contained, be conſtrued to extend to, or reſtore any forfeiting Perſon now out of the Kingdom, except what are hereafter comprized: Provided alſo, That no Perſon whatſoever ſhall have or enjoy the Benefit of this Article, that ſhall neglect or refuſe to take the Oath of Allegiance, made by Act of Parliament in *England*, in the Firſt Year of the Reign of their preſent Majeſties, when thereunto required.

III. All Merchants, or reputed Merchants of the City of *Limerick*, or of any other Garriſon, now poſſeſs'd by the *Iriſh*, or of any Town or Place in the Counties of *Clare* or *Kerry*, who are abſent beyond the Seas, that have not bore Arms ſince their Majeſties Declaration in *February* 1688. ſhall have the Benefit of the

the ſecond Article, in the ſame manner, as if they were preſent; *provided*, ſuch Merchants, and reputed Merchants, do repair into this Kingdom within the Space of eight Months from the Date hereof.

IV. The following Officers, *viz.* Colonel *Simon Luttrel*, Captain *Rowland White*, *Maurice Euſtace* of *Yermanſtown*, *Chievers* of *Mayſtown*, commonly called *Mount-Leinſter*, now belonging to the Regiments in the aforeſaid Garriſons and Quarters of the *Iriſh* Army, who were beyond the Seas, and ſent thither upon Affairs of their reſpective Regiments, or the Army in general, ſhall have the Benefit and Advantage of the ſecond Article; *provided*, they return hither within the Space of eight Months from the Date of theſe Preſents, and ſubmit to their Majeſties Government, and take the above-mentioned Oath.

V. That all and ſingular, the ſaid Perſons comprized in the ſecond and third Articles, ſhall have a general Pardon of all Attainders, Outlawries, Treaſons, Miſpriſions of Treaſon, Premunires, Felonies, Treſpaſſes, and other Crimes and Miſdemeanors whatſoever, by them, or any of them, committed ſince the beginning of the Reign of King *James* II. and if any of them are Attainted by Parliament, the Lords Juſtices, and General, will uſe their beſt Endeavours to get the ſame repealed by Parliament, and the Outlawries to be reverſed *gratis*, all but Writing-Clerks Fees.

VI. And whereas theſe preſent Wars have drawn on great Violences on both Parts, and that if leave were given to the bringing all ſorts of private Actions, the Animoſities would probably continue, that have been too long on Foot, and the publick Diſturbances laſt: For the Quieting and Settling therefore of this Kingdom, and avoiding thoſe Inconveniencies which would be the neceſſary Conſequence of the contrary, no Per-

ſon or Perſons whatſoever, comprized in the foregoing Articles, ſhall be ſued, moleſted, or impleaded at the Suit of any Party or Parties whatſoever, for any Treſpaſſes by them committed, or for any Arms, Horſes, Money, Goods, Chattels, Merchandizes, or Proviſions whatſoever, by them ſeized or taken, during the Time of the War. And no Perſon or Perſons whatſoever, in the ſecond and third Articles comprized, ſhall be ſued, impleaded, or made accountable for the Rents, or mean Rates of any Lands, Tenements, or Houſes, by him or them received, or enjoyed in this Kingdom, ſince the beginning of the preſent War, to the Day of the Date hereof, nor for any Waſte or Treſpaſs, by him or them committed in any ſuch Lands, Tenements, or Houſes: And it is alſo agreed, that this Article ſhall be mutual, and reciprocal, on both Sides.

VII. Every Nobleman and Gentleman comprized in the ſaid ſecond and third Article, ſhall have Liberty to ride with a Sword, and Caſe of Piſtols, if they think fit; and keep a Gun in their Houſes, for the Defence of the ſame, or for Fowling.

VIII. The Inhabitants and Reſidents in the City of *Limerick*, and other Garriſons, ſhall be permitted to remove their Goods, Chattels, and Proviſions, out of the ſame, without being viewed and ſearched, or paying any manner of Duties, and ſhall not be compelled to leave the Houſes or Lodgings they now have, for the Space of ſix Weeks next enſuing the Date hereof.

IX. The Oath to be adminiſtred to ſuch *Roman-Catholicks* as ſubmit to their Majeſties Government, ſhall be the Oath aboveſaid, and no other.

X. No Perſon or Perſons, who ſhall at any Time hereafter break theſe Articles, or any of them, ſhall thereby

thereby make, or cauſe any other Perſon or Perſons, to forfeit or loſe the Benefit of the ſame.

XI. The Lords Juſtices and General do promiſe to uſe their utmoſt Endeavours, that all the Perſons comprehended in the above-mentioned Articles, ſhall be protected and defended from all Arreſts and Executions for Debt or Damage, for the Space of eight Months, next enſuing the Date hereof.

XII. Lastly, The Lords Juſtices and General do undertake, that their Majeſties will ratify theſe Articles, within the Space of eight Months, or ſooner, and uſe their utmoſt Endeavours, that the ſame ſhall be ratified and confirmed in Parliament.

XIII. And whereas Colonel *John Brown* ſtood indebted to ſeveral Proteſtants, by Judgments of Record; which appearing to the late Government, the Lord *Tyrconnel*, and Lord *Lucan*, took away the Effects the ſaid *John Brown* had to anſwer the ſaid Debts, and promiſed to clear the ſaid *John Brown* of the ſaid Debts; which Effects were taken for the publick Uſe of the *Iriſh*, and their Army: For freeing the ſaid Lord *Lucan* of his ſaid Engagement, paſt on their publick Account, for payment of the ſaid Proteſtants, and for preventing the Ruin of the ſaid *John Brown*, and for Satisfaction of his Creditors, at the Inſtance of the Lord *Lucan*, and the reſt of the Perſons aforeſaid, it is agreed, That the ſaid Lords Juſtices, and the ſaid Baron *de Ginckle*, ſhall intercede with the King and Parliament, to have the Eſtates ſecured to *Roman Catholicks*, by Articles and Capitulation in this Kingdom, charged with, and equally liable to the Payment of ſo much of the ſaid Debts, as the ſaid Lord *Lucan*, upon ſtating Accompts with the ſaid *John Brown*, ſhall certify under his Hand, that the Effects taken from the ſaid *Brown* amount unto; which

Accompt is to be ſtated, and the Ballance certified by the ſaid Lord *Lucan* in One and Twenty Days after the Date hereof:

For the true Performance hereof, We have hereunto ſet our Hands,

Preſent,
Scravemore,
H. Maccay.
T. Talmaſh.

Charles Porter,
Tho. Coningsby.
Bar. *de Ginckle.*

AND

AND *whereas* the ſaid City of *Limerick* hath been ſince, in purſuance of the ſaid Articles, ſurrendered unto Us. *Now know ye*, that We having conſidered of the ſaid Articles, are graciouſly pleaſed hereby to declare, that We do for Us, our Heirs and Succeſſors, as far as in Us lies, ratify and confirm the ſame, and every Clauſe, Matter and Thing therein contained. And as to ſuch Parts thereof, for which an Act of Parliament ſhall be found to be neceſſary, We ſhall recommend the ſame to be made good by Parliament, and ſhall give our Royal Aſſent to any Bill or Bills, that ſhall be paſſed by Our two Houſes of Parliament to that purpoſe.

And whereas it appears unto Us, that it was agreed between the Parties to the ſaid Articles, that after the words, *Limerick*, *Clare*, *Kerry*, *Cork*, *Mayo*, or any of them, in the ſecond of the ſaid Articles, the words following, *viz. And all ſuch as are under their Protection in the ſaid Counties*, ſhould be inſerted, and be part of the ſaid Articles. Which words having been caſually omitted by the Writer, the Omiſſion was not diſcovered till after the ſaid Articles were ſigned, but was taken Notice of before the ſecond Town was ſurrendered: And that our ſaid Juſtices, and General, or one of them, did promiſe that the ſaid Clauſe ſhould be made good, it being within the Intention of the Capitulation, and inſerted in the foul Draught thereof.

Our further Will and Pleaſure is, and We do hereby ratify and confirm the ſaid omitted words, *viz.* [*And all ſuch as are under their Protection in the ſaid Counties*] hereby for Us, our Heirs and Succeſſors, ordaining and declaring, that all and every Perſon and Perſons therein concerned, ſhall and may have, receive, and enjoy the Benefit thereof, in ſuch and the ſame manner, as if the

the ſaid words had been inſerted in their proper Place, in the ſaid ſecond Article; any Omiſſion, Defect, or Miſtake in the ſaid ſecond Article, in any wiſe notwithſtanding.

Provided always, and Our Will and Pleaſure is, that theſe Our Letters Patents ſhall be enrolled in Our Court of *Chancery* in our ſaid Kingdom of *Ireland*, within the Space of one Year next enſuing. *In Witneſs*, &c.

Witneſs Our Self at *Weſtminſter*, the Twenty fourth Day of *February*, *Anno Regni Regis & Reginæ* Gulielmi & Mariæ *Quarto*, *per Breve de Privato Sigillo.* Nos *autem Tenorem Premiſſor. Predict. Ad Requiſitionem Attornat. General. Domini Regis & Dominæ Reginæ pro Regno* Hiberniæ. *Duximus exemplificand. per Preſentes.* In cujus *Rei Teſtimonium has literas noſtras fieri fecimus Patentes.* Teſtibus *nobis ipſis apud* Weſtmon' *Quinto die* Aprilis, *Annoque Regni eorum Quarto.*

BRIDGES.

Examinat. per nos { S. Keck, Lacon, Wm Childe } *In Cancel. Magiſtros.*

MILITARY

MILITARY ARTICLES

AGREED UPON

Between the Baron De Ginckle, *Lieut. General, and Commander in Chief of the* Engliſh *Army*, on the one Side.

AND

The Lieut. Generals, De Uſſoon, *and* De Teſſe, *Commanders in Chief of the* Iriſh *Army*, on the other; *and the General Officers hereunto ſubſcribing.*

I. THAT all Perſons, without any Exceptions, of what Quality or Condition ſoever, that are willing to leave the Kingdom of *Ireland*, ſhall have free Liberty to go to any Country beyond the Seas (*England* and *Scotland* excepted) where they think fit, with their Families, Houſhold-ſtuff, Plate and Jewels.

II. THAT

II. THAT all General Officers, Colonels, and generally all other Officers of Horſe, Dragoons and Foot-Guards, Troopers, Dragooners, Soldiers of all Kinds, that are in any Garriſon, Place, or Poſt, now in the Hands of the *Iriſh*, or encamped in the Counties of *Cork*, *Clare*, and *Kerry*, as alſo thoſe called *Rapparees*, or Voluntiers, that are willing to go beyond Seas, as aforeſaid, ſhall have free Leave to imbark themſelves where-ever the Ships are, that are appointed to tranſport them; and to come in whole Bodies, as they are now compos'd, or in Parties, Companies, or otherwiſe, without having any Impediment, directly or indirectly.

III. THAT all Perſons above-mentioned, that are willing to leave *Ireland*, and go into *France*, ſhall have Leave to declare it at the Times and Places hereafter mentioned, *viz.* The Troops in *Limerick*, on *Tueſday* next in *Limerick*; the Horſe, at their Camp on *Wedneſday*; and the other Forces that are diſperſed in the Counties of *Clare*, *Kerry*, and *Cork*, on the 8th Inſtant, and on none other, before Monſieur *Tameron*, the *French* Intendant, and Colonel *Withers*; and after ſuch Declaration is made, the Troops that will go into *France* muſt remain under the Command and Diſcipline of their Officers, that are to conduct them thither: And Deſerters of each ſide ſhall be given up and puniſhed accordingly.

IV. THAT all *Engliſh* and *Scotch* Officers, that ſerve now in *Ireland*, ſhall be included in this Capitulation, as well for the Security of their Eſtates and Goods, in *England*, *Scotland*, and *Ireland*, (if they are willing to remain here) as for paſſing freely into *France*, or any other Country to ſerve.

V. THAT all the General *French* Officers, the Intendant, the Engineers, the Commiſſaries at War, and of the Artillery, the Treaſurer, and other *French* Officers,

cers, Strangers, and all others whatſoever, that are in *Sligo*, *Roſs*, *Clare*, or in the Army, or that do trade or commerce, or are otherways employed in any Kind of Station or Condition, ſhall have free Leave to paſs into *France*, or any other Country; and ſhall have Leave to ſhip themſelves, with all their Horſes, Equipage, Plate, Papers, and all their Effects whatever; and that General *Ginckle* will order Paſs-ports for them, Convoys, and Carriages by Land and Water, to carry them ſafe from *Limerick*, to the Ships where they ſhall be imbarked, without paying any thing for the ſaid Carriages, or to thoſe that are employed therein, with their Horſes, Carrs, Boats, and Shallops.

VI. THAT if any of the aforeſaid Equipage, Merchandize, Horſes, Money, Plate, or other Moveables, or Houſhold-ſtuff, belonging to the ſaid *Iriſh* Troops, or to the *French* Officers, or other particular Perſons whatſoever, be robb'd, deſtroy'd, or taken away by the Troops of the ſaid General; the ſaid General will order it to be reſtor'd, or Payment to be made, according to the Value that is given in upon Oath by the Perſon ſo robbed or plundered: And the ſaid *Iriſh* Troops to be tranſported as aforeſaid: And all other Perſons belonging to them, are to obſerve good Order in their March and Quarters; and ſhall reſtore whatever they ſhall take from the Country, or make Reſtitution for the ſame.

VII. THAT, to facilitate the tranſporting the ſaid Troops, the General will furniſh 50 Ships, each Ship's Burthen 200 Tuns; for which, the Perſons to be tranſported, ſhall not be obliged to pay; and 20 more, if there ſhall be occaſion, without their paying for them; and if any of the ſaid Ships ſhall be of leſſer Burthen, he will furniſh more in Number to countervail; and alſo give two Men of War to imbark the principal

Officers, and ſerve for a Convoy to the Veſſels of Burthen.

VIII. That a Commiſſary ſhall be immediately ſent to *Cork*, to viſit the Tranſport-Ships, and what Condition they are in for ſailing; and that as ſoon as they are ready, the Troops to be tranſported, ſhall march with all convenient Speed, the neareſt Way, in order to embark there: And if there ſhall be any more Men to be tranſported, than can be carried off in the ſaid 50 Ships, the reſt ſhall quit the *Engliſh* Town of *Limerick*, and march to ſuch Quarters as ſhall be appointed for them, convenient for their Tranſportation; where they ſhall remain till the other 20 Ships be ready, which are to be in a Month; and may embark on any *French* Ship that may come in the mean Time.

IX. That the ſaid Ships ſhall be furniſhed with Forrage for Horſe, and all neceſſary Proviſions to ſubſiſt the Officers, Troops, Dragoons, and Soldiers, and all other Perſons that are ſhipped to be tranſported into *France*; which Proviſions ſhall be paid for, as ſoon as all are diſimbarked at *Breſt* or *Nants*, upon the Coaſt of *Brittany*, or any other Port of *France* they can make.

X. And to ſecure the Return of the ſaid Ships (the Danger of the Seas excepted) and Payment for the ſaid Proviſions, ſufficient Hoſtages ſhall be given.

XI. That the Garriſons of *Clare-Caſtle*, *Roſs*, and all other Foot that are in Garriſons, in the Counties of *Clare*, *Cork*, and *Kerry*, ſhall have the Advantage of this preſent Capitulation; and ſuch part of thoſe Garriſons as deſign to go beyond Seas, ſhall march out with their Arms, Baggage, Drums beating, Ball in Mouth, Match lighted at both Ends, and Colours flying, with all the Proviſions, and half the Ammunition that is in the ſaid Garriſons,

Garriſons, and join the Horſe that march to be tranſported; or if then there's not Shipping enough for the Body of Foot that is tô be next tranſported after the Horſe, General *Ginckle* will order, that they be furniſhed with Carriages for that purpoſe; and what Proviſions they ſhall want in their March, they paying for the ſaid Proviſions; or elſe, that they may take it out of their own Magazines.

XII. That all the Troops of Horſe and Dragoons, that are in the Counties of *Cork*, *Kerry*, and *Clare*, ſhall alſo have the Benefit of this Capitulation; and that ſuch as will paſs into *France*, ſhall have Quarters given them in the Counties of *Clare* and *Kerry*, apart from the Troops that are commanded by General *Ginckle*, until they can be ſhipped; and within their Quarters they ſhall pay for every thing, except Forrage, and Paſture for their Horſes, which ſhall be furniſh'd *Gratis*.

XIII. Those of the Garriſon of *Sligo*, that are join'd to the *Iriſh* Army, ſhall have the Benefit of this Capitulation; and Orders ſhall be ſent to them that are to convey them up, to bring them hither to *Limerick* the ſhorteſt Way.

XIV. The *Iriſh* may have Liberty to tranſport 900 Horſe, including Horſes for the Officers, which ſhall be tranſported *Gratis*: And as for the Troopers that ſtay behind, they ſhall diſpoſe of themſelves as they ſhall think fit; giving up their Horſe, and Arms to ſuch Perſons as the General ſhall appoint.

XV. It ſhall be permitted to thoſe that are appointed to take care for the Subſiſtence of the Horſe, that are willing to go into *France*, to buy Hay and Corn at the King's Rates, where-ever they can find it, in the Quarters that are aſſigned for them, without any Lett or Moleſtation; and to carry all neceſſary Proviſions out of

the City of *Limerick*: And for this purpoſe the General will furniſh convenient Carriages for them, to the places where they ſhall be imbarked.

XVI. It ſhall be lawful to make uſe of the Hay, preſerved in the Stores of the County of *Kerry*, for the Horſes that ſhall be imbarked; and if there be not enough, it ſhall be lawful to buy Hay and Oats, wherever it ſhall be found, at the King's Rates.

XVII. That all Priſoners of War, that were in *Ireland* the 28th of *September*, ſhall be ſet at Liberty on both Sides; and the General promiſes to uſe his Endeavours, that thoſe that are in *England* and *Flanders* ſhall be ſet at Liberty alſo.

XVIII. The General will cauſe Proviſions and Medicines to he furniſhed to the ſick and wounded Officers, Troopers, Dragoons, and Soldiers of the *Iriſh* Army, that cannot paſs into *France* at the firſt Imbarkment; and after they are cured, will order them Ships to paſs into *France*, if they are willing to go.

XIX. That at the ſigning hereof, the General will ſend a Ship expreſs to *France*; and that beſides he will furniſh two ſmall Ships of thoſe that are now in the River of *Limerick*, to tranſport two Perſons into *France*, that are to be ſent to give Notice of this Treaty; and that the Commanders of the ſaid Ships ſhall have Orders to put aſhore at the next part of *France*, where they ſhall make.

XX. That all thoſe of the ſaid Troops, Officers, and others, of what Character ſoever, that would paſs into *France*, ſhall not be ſtopt upon the Account of Debt, or any other Pretext.

XXI. It

XXI. If after ſigning this preſent Treaty, and before the Arrival of the Fleet, a *French* Packet-Boat, or other Tranſport-Ship, ſhall arrive from *France*, in any other Part of *Ireland*, the General will order a Paſs-port, not only for ſuch as muſt go on board the ſaid Ships, but to the Ships, to come to the neareſt Port, to the Place where the Troops to be tranſported ſhall be quartered.

XXII. That after the Arrival of the ſaid Fleet, there ſhall be free Communication and Paſſage between it and the Quarters of the aboveſaid Troops; and eſpecially, for all thoſe that have Paſſes from the Chief Commanders of the ſaid Fleet, or from Monſieur *Tameron*, the Intendant.

XXIII. In Conſideration of the preſent Capitulation, the two Towns of *Limerick* ſhall be delivered, and put into the Hands of the General, or any other Perſon he ſhall appoint, at the Time and Days hereafter ſpecified, *viz.* the *Iriſh* Town, except the Magazines and Hoſpital, on the Day of the ſigning of theſe preſent Articles; and as for the *Engliſh* Town, it ſhall remain, together with the Iſland, and the free Paſſage of *Thomond-Bridge*, in the Hands of thoſe of the *Iriſh* Army that are now in the Garriſon, or that ſhall hereafter come from the Counties of *Cork*, *Kerry*, *Clare*, *Sligo*, and other places abovementioned, until there ſhall be Convenience found for their Tranſportation.

XXIV. And to prevent all Diſorders that may happen between the Garriſon that the General ſhall place in the *Iriſh* Town, which ſhall be delivered to him, and the *Iriſh* Troopers that ſhall remain in the *Engliſh* Town, and the Iſland, which they may do, until the Troops to be imbarked on the firſt 50 Ships ſhall be gone for *France*, and no longer; they ſhall intrench themſelves on both Sides, to hinder the Communication of the ſaid Garriſons:

Garriſons: And it ſhall be prohibited on both Sides, to offer any thing that is offenſive; and the Parties offending ſhall be puniſhed on either Side.

XXV. That it ſhall be lawful for the ſaid Garriſon to march out all at once, or at different Times, as they can be embarked, with Arms, Baggage, Drums beating, Match lighted at both Ends, Bullet in Mouth, Colours flying, ſix Braſs Guns, ſuch as the Beſieged will chuſe, two Mortar-pieces, and half the Ammunition that is now in the Magazines of the ſaid Place: And for this purpoſe, an Inventory of all the Ammunition in the Garriſon ſhall be made, in the Preſence of any Perſon that the General ſhall appoint, the next Day after theſe preſent Articles ſhall be ſigned.

XXVI. All the Magazines of Proviſions ſhall remain in the Hands of thoſe that are now employed to take Care of the ſame, for the Subſiſtence of thoſe of the *Iriſh* Army that will paſs into *France*: And if there ſhall not be ſufficient in the Stores, for the Support of the ſaid Troops, whilſt they ſtay in this Kingdom, and are croſſing the Seas, that, upon giving up an Account of their Numbers, the General will furniſh them with ſufficient Proviſions, at the King's Rates; and that there ſhall be a free Market at *Limerick*, and other Quarters, where the ſaid Troops ſhall be: And in caſe any Proviſion ſhall remain in the Magazines of *Limerick*, when the Town ſhall be given up, it ſhall be valued, and the Price deducted out of what is to be paid for the Proviſions to be furniſhed to the Troops on Shipboard.

XXVII. That there ſhall be a Ceſſation of Arms at Land, as alſo at Sea, with reſpect to the Ships, whether *Engliſh*, *Dutch*, or *French*, deſign'd for the Tranſportation of the ſaid Troops, until they ſhall be returned to their reſpective Harbours; and that on both Sides, they ſhall be furniſhed with ſufficient Paſs-ports, both for

for Ships and Men: And if any Sea-Commander, or Captain of a Ship, or any Officer, Trooper, Dragoon, Soldier, or any other Perſon, ſhall act contrary to this Ceſſation, the Perſons ſo acting, ſhall be puniſhed on either Side, and Satisfaction ſhall be made for the Wrong that is done; and Officers ſhall be ſent to the Mouth of the River of *Limerick*, to give Notice to the Commanders of the *Engliſh* and *French* Fleets, of the preſent Conjuncture, that they may obſerve the Ceſſation of Arms accordingly.

XXVIII. That for the Security of the Execution of this preſent Capitulation, and of each Article therein contained, the Beſieged ſhall give the following Hoſtages———And the General ſhall give———

XXIX. If before this Capitulation is fully executed, there happens any Change in the Government, or Command in the Army, which is now commanded by General *Ginckle*; all thoſe that ſhall be appointed to command the ſame, ſhall be obliged to obſerve and execute what is ſpecified in theſe Articles, or cauſe it to be executed punctually; and ſhall not act contrary on any Account.

Octob. 91.

Baron De Ginckle.

FINIS.

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